

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Crl.Misc.No.61416-M of 2006

DATE OF DECISION: NOVEMBER 27, 2006

Ajit Singh

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. D.S.Pheruman, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

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Petitioner Ajit Singh apprehending his arrest in a non-bailable offence in case FIR No.78 dated 21.5.2006 registered under Section 420 IPC at Police Station Qila Lal Singh, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that after nine years of the alleged incident, totally false FIR has been got registered by the complainant alleging therein that he had paid Rs.50,000/- to the petitioner for sending his son abroad. Counsel contends that no specific date, time or place of the alleged payment has been mentioned in the FIR, and the allegations are totally false. Counsel further contends that in terms of the interim order dated October 10, 2006, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact and further on instructions from ASI Harbhajan Singh states that the petitioner is no more required for further investigation.

In view of the above, the interim order dated October 10, 2006 is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. Thereafter

except for material change in the circumstances, the petitioner shall be entitled for the grant of regular bail by the trial Court on the terms and conditions to be imposed by the court.

Disposed of accordingly.

November 27, 2006
vkg

(SATISH KUMAR MITTAL)
JUDGE